

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**MSTADI WINSTON**

**Plaintiff,**

**v.**

**Case No. 16-C-390**

**CAROLYN W. COLVIN,**

**Acting Commissioner of the Social Security Administration**

**Defendant.**

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**ORDER**

Plaintiff Mstadi Winston seeks judicial review of an unfavorable decision from the Commissioner of the Social Security Administration. Pursuant to 28 U.S.C. § 1914(a), a plaintiff must pay a filing fee to bring an action in federal court, but plaintiff requests leave to proceed in forma pauperis. Under 28 U.S.C. § 1915(a)(1), an indigent party may commence a federal court action, without paying required costs and fees, upon submission of an affidavit asserting inability “to pay such fees or give security therefor” and stating “the nature of the action, defense or appeal and affiant’s belief that the person is entitled to redress.”

On review of the affidavit, I am satisfied that plaintiff meets the poverty requirements of § 1915(a)(1). The affidavit indicates that plaintiff is unemployed, with no real estate or other valuable assets aside from a 2006 motor vehicle. The affidavit also contains the required averment that plaintiff is entitled to the relief sought in the complaint, and on review of the complaint I am unable to determine that the action is frivolous or that the complaint fails to state a claim.

**THEREFORE, IT IS ORDERED** that plaintiff's motion for leave to proceed in forma pauperis (R. 2) is **GRANTED**. The file will be returned to the Clerk of Courts for service on defendant.

Plaintiff is advised to provide defendant or her counsel with copies of all future motions or papers filed by plaintiff in this action.

Dated at Milwaukee, Wisconsin this 6<sup>th</sup> day of April, 2016.

/s Lynn Adelman  
LYNN ADELMAN  
District Judge